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11 ARTERRA MISSION BAY, LLC and INTRACORP SAN  
12 FRANCISCO, LLC

13 UNITED STATES DISTRICT COURT  
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
15 SAN FRANCISCO DIVISION

16 AXIS SURPLUS INSURANCE  
17 COMPANY AND LANDMARK  
18 AMERICAN INSURANCE COMPANY,

19 Plaintiffs,

20 v.

21 ARTERRA MISSION BAY, LLC AND  
22 INTRACORP SAN FRANCISCO, LLC ,  
23 AND ROES 1 THROUGH 20,  
24 INCLUSIVE,

25 Defendants.

26 ARTERRA MISSION BAY, LLC AND  
27 INTRACORP SAN FRANCISCO, LLC ,

28 Counterclaimants,

v.

AXIS SURPLUS INSURANCE  
COMPANY AND LANDMARK  
AMERICAN INSURANCE COMPANY,

Counterdefendants.

No. CV 08 4334 CRB

STIPULATION OF DISMISSAL

Complaint Filed: September 16, 2008

IT IS HEREBY STIPULATED by and between the parties to this action through  
their designated counsel that the above-captioned action be and is hereby dismissed

1 with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1).

2 DATED: March 3, 2009

HANSON BRIDGETT LLP

3  
4 By: 

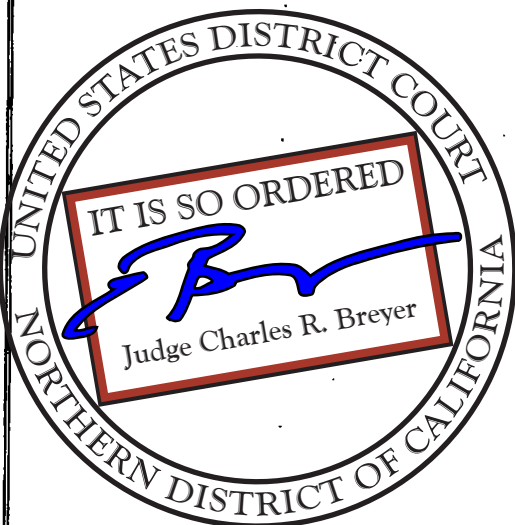
5 ANDREW G. GIACOMINI  
6 WALTER R. SCHNEIDER  
7 LAILA JADELRAH LOURIDAS  
8 Attorneys for Defendants and  
9 Counterclaimants  
10 Arterra Mission Bay, LLC and Intracorp  
11 San Francisco, LLC

12  
13 DATED: March 3, 2009

BULLIVANT HOUSER BAILEY PC

14  
15 By: 

16 JESS B. MILLIKAN  
17 LLOYD BERNSTEIN  
18 PETER ROLDAN  
19 Attorneys for Plaintiffs and  
20 Counterdefendants  
21 Axis Surplus Insurance Company and  
22 Landmark American Insurance  
23 Company



PROOF OF SERVICE

**Axis Surplus Insurance, et al. v. Arterra Mission Bay, LLC**

I, A. Adiam Gebremicael, declare that I am a resident of the State of California. I am over the age of 18 years and not a party to the action entitled *Axis Surplus Insurance, et al. v. Arterra Mission Bay, LLC*; that my business address is 425 Market Street, 26th Floor, San Francisco, California 94105. On March 9, 2009, I served a true and accurate copy of the document(s) entitled:

**Stipulation of Dismissal dated March 9, 2009**

on the party(ies) in this action by placing said copy(ies) in a sealed envelope, each addressed to the last address(es) given by the party(ies) as follows:

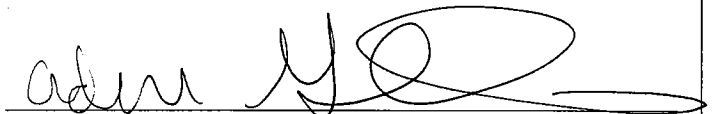
Jess B. Millikan, Esq.  
Bullivant Houser Bailey PC  
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Phone: (415) 352-2718  
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- ☐ (By First Class Mail pursuant to Code of Civil Procedure section 1013.) I am readily familiar with Hanson Bridgett's practices for collecting and processing documents for mailing with United States Postal Service. Following these ordinary business practices, I placed the above referenced sealed envelope(s) for collection and mailing with the United States Postal Service on the date listed herein at 425 Market Street, 26th Floor, San Francisco, California 94105. The above referenced sealed envelope(s) will be deposited with the United States Postal Service on the date listed herein in the ordinary course of business.
- ☐ (By Express Mail pursuant to Code of Civil Procedure section 1013.) I deposited each sealed envelope, with the postage prepaid, to be delivered via \_\_\_\_\_ to the party(ies) so designated on the service list.
- ☐ (By Telecopy Fax pursuant to Code of Civil Procedure section 1013.) I am readily familiar with Hanson Bridgett's practice for processing of documents via Telefax. Following these ordinary business practices, I directed that the above referenced documents(s) be placed in the Telefax machine, with all costs of Telefaxing prepaid, directed to each of the party(ies) listed on the attached service list using the last Telefax numbers(s) given by the party(ies), and processed through the Telefax equipment, until a report is provided by that equipment indicating that the Telefax operation was successful. A copy of the Telefax report indicating successful transmission is attached hereto.



2 (By Electronic Transmission based on a court order or an agreement of the  
3 parties to accept service by email or electronic transmission.) I am readily  
4 familiar with Hanson Bridgett's practices for transmitting documents by  
5 electronic mail via internet service provider. I caused the documents to be  
6 sent to the persons at the email addresses listed for each addressee on the  
7 attached service list. I did not receive, within a reasonable time after the  
8 transmission, any electronic message or other indication that the  
9 transmission was unsuccessful.

10 I declare under penalty of perjury under the laws of the State of California  
11 that the above is true and correct and was executed on March 9, 2009, at San  
12 Francisco, California.

13   
14 A. Adiam Gebremicael